

THE STATE OF OHIO, )  
 ) SS: PATRICIA A. CLEARY, J.  
COUNTY OF CUYAHOGA.)

IN THE COURT OF COMMON PLEAS  
CRIMINAL DIVISION

THE STATE OF OHIO, )  
 )  
Plaintiff, )  
 )  
-v- ) **CR-336196/340703**  
 ) **C/A: N/A**  
 )  
JOHN DUNCAN, )  
 )  
Defendant. )

- - - -

DEFENDANT'S TRANSCRIPT OF PROCEEDINGS

- - - -

APPEARANCES:

**WILLIAM D. MASON, ESQ.**, Prosecuting Attorney,  
by: **JOSE TORRES, ESQ.**, Assistant County  
Prosecutor,

on behalf of the Plaintiff;

**JEROME DOWLING, ESQ.**,

on behalf of the Defendant.

Benjamin Watkins  
Official Court Reporter  
Cuyahoga County, Ohio

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BE IT REMEMBERED, that at the  
September A.D., 1996 term of said Court,  
to-wit, commencing on **Thursday, September**  
**26th, 1996**, this cause came on to be heard  
before the Honorable Patricia A. Cleary, in  
Courtroom No. 22B, Courts Tower, Justice  
Center, Cleveland, Ohio, upon the indictment  
filed heretofore.

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**THURSDAY MORNING SESSION, SEPTEMBER 26, 1996**

THE COURT: We are here in CR 3336196 and 340703, both cases captioned the State of Ohio versus John Duncan, also known as John Cobble. Both of these cases have been joined for trial; is that correct.

MR. TORRES: Proceeding on both.

THE COURT: The jury will be up shortly. We are going to have to -- since I have a jury deliberating we are going to use the other judge's courtroom while they are getting lined up.

Before they come out I wanted to indicate on the record some voir dire rules. The first is that when appropriate ask questions to the panel generally instead of the same question being repeated to each of the jurors. I also don't want counsel to repeat any questions that I ask the jury on the voir dire. If you have trouble hearing a response, just please let me know.

Lastly, I give instructions of law at the end of the case so I would rather counsel not go over the instructions of law. They are